

REMARKS

I. Pending Claims

Claims 1, 11, 12 and 29-45 are currently pending. Applicants request entry of a new amendment to claim 11, which addresses the written description and enablement rejections under 35 U.S.C. § 112, first paragraph. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims. Applicants reserve the right to prosecute the non-elected claims in subsequent divisional applications.

II. Claim Rejections – 35 U.S.C. § 112, First Paragraph, Written Description and Enablement

The Examiner has stated in the Advisory Action of December 10, 2003, that both rejections are withdrawn with respect to part b) of claim 11. However, the Examiner maintained both rejections with respect to part a). Please note that Applicants have amended part a) of claim 11 to recite, "...a polypeptide with the amino acid sequence of SEQ ID NO:1." The term "comprising" was deleted in order to address the Examiner's contention that the scope of the claimed antibodies of claim 11 part a) is not adequately described or enabled by the instant specification (Advisory Action, mailed December 10, 2003, p. 2 and p. 4). Applicants respectfully request that both these rejections be reconsidered and withdrawn.

Applicants are amending claim 11 at this time merely to expedite the allowance of the instant application. However, Applicants reserve the right to argue the full scope of the equivalents in subsequent continuation applications.

CONCLUSION

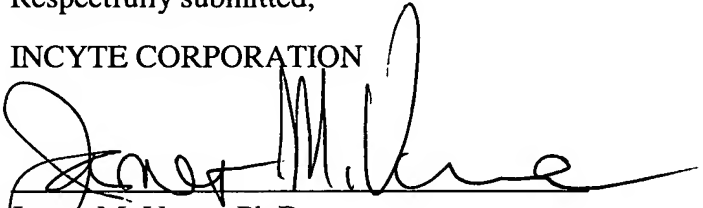
In light of the above amendments and remarks, Applicants submit that the present application is fully in condition for allowance, and request that the Examiner withdraw the outstanding objections/rejections. Early notice to that effect is earnestly solicited.

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact the undersigned at the number listed below.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108.

Respectfully submitted,

INCYTE CORPORATION

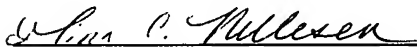


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Date: January 28, 2004



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